

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	Case No. 1:01-CR-160
vs.)	Mag. No. 1:05-MJ-223
)	
MICHAEL JOYNER)	JUDGE COLLIER

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on June 13, 2005, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition for a Warrant or Summons for Offender Under Supervision of U.S. Probation Officer (USPO) Donna Rankin and the Warrant for Arrest issued by U.S. District Judge Curtis L. Collier. Those present for the hearing included:

- (1) AUSA John Macoon for the USA.
- (2) The defendant, MICHAEL JOYNER.
- (3) Attorney Rita LaLumia for defendant.
- (4) U.S. Probation Officer Donna Rankin
- (5) Deputy Clerk Geneva Ashby.

After being sworn in due form of law the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney and he qualifies for the appointment of an attorney to represent him at government expense. Attorney Rita LaLumia of Federal Defender Services was appointed to represent the defendant. It was determined the defendant had been provided with a copy of the Petition for a Warrant or Summons for an Offender Under Supervision and the Warrant for Arrest and had the opportunity of reviewing those documents with Atty. LaLumia. It was also determined the defendant was capable of being able to read and understand the copy of the aforesaid documents he had been provided.

AUSA Macoon called USPO Donna Rankin as a witness, and moved defendant be detained without bail pending his revocation hearing before U.S. District Judge Curtis L. Collier.

Findings

- (1) Based upon the testimony and petition of USPO Donna Rankin, the undersigned finds there is probable cause to believe defendant has committed violations of his

conditions of supervised release as alleged in the petition.

Conclusions

It is ORDERED:

(1) The defendant, MICHAEL JOYNER, shall be appear in a revocation hearing before U.S. District Judge Curtis L. Collier.

(2) The motion of AUSA Macoon that defendant be DETAINED WITHOUT BAIL pending his revocation hearing before Judge Collier is GRANTED.

(3) The U.S. Marshal shall transport MICHAEL JOYNER to a revocation hearing before Judge Collier on **Thursday, June 16, 2005, at 10:00 a.m.**

ENTER.

s/William B. Mitchell Carter

UNITED STATES MAGISTRATE JUDGE